



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2301597

Applicant Name: Julie LeDoux, for Great Northern Land Co.

Address of Proposal: 520 20th Av E

SUMMARY OF PROPOSED ACTION

Master Use Permit to divide one parcel into three lots (unit subdivision). Proposed lot sizes are: A) 1,141.4 square feet, B) 1,143.8 square feet, C) 2,520 square feet. Parking for three vehicles is to be provided on Unit Lot C. Related project: Construction of two attached townhouses and a single family residence has been reviewed and approved under Project No. 2207446.

The following approval is required:

Short Subdivision - to create three unit lots.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 4,806 square-foot property is located on the east side of 20th Avenue E., midblock between E. Mercer Street and E. Republican Street. Access to the site is via the 16-foot unimproved alley. There are existing curbs and sidewalks along 20th Avenue E. Two attached townhouses and a detached single-family structure are being constructed on the site. There is an existing 6-inch plum tree (*prunus americanus*) on site; two western dogwoods (*cornus nutali*), one golden chain tree (*laburnum*), and one maple (*acer A. Ginnala*) are to be planted on site according to the approved Landscape Plan which is part of Permit 2207446. A four-inch “cherry” tree is located

within the planting strip immediately west of the site. The site is not located in any identified or designated environmentally critical area.

The subject property and other properties on the east block front of 20th Avenue E, as well as properties to the immediate west, across 20th Avenue E, are zoned Multi-family Lowrise 1 (L-1), except for the two northernmost lots on the west side of 20th Avenue E which are zoned Lowrise 2 (L-2). Properties to north, across E. Mercer Street, are zoned Single Family (SF 5000). Properties immediately to the east, across the alley, are zoned single family (SF 5000). 19th Avenue East, a block to the west, 23rd Avenue East, two and one half blocks to the east, and E. Aloha Street, two blocks to the north, are the arterials nearest the site. The corresponding half block one half of a block to the west and facing 19th Avenue E is zoned Neighborhood Commercial (NC1-40). Development in the immediate area consists of one and two-story single-family houses and some multifamily apartment structures of varying age and architectural styles. Meany Middle School is located directly one-half block south, across E. Republican Street.

Proposal Description

The proposal is to subdivide one parcel into three unit subdivision lots with vehicle access provided from the alley to the east. A single parking space for each of the two townhouse units will be provided within a garage constructed on Unit Lot C via a parking easement. A pedestrian-access and utilities easement is provided along the south four feet of Unit lots B and C. Proposed lot sizes are as indicated in the summary above. The lots have direct pedestrian access to 20th Avenue E. and to the alley.

Note that the construction of the townhouse units and the single-family structure was reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit (No. 2207446). The subject of this analysis and decision is only the proposed division of land.

Public Comments

The comment period for this proposal ended on January 1, 2003. During the public comment period, DCLU received one written comment, signed, however, by several neighboring homeowners and residents.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas.*
6. *Is designed to maximize the retention of existing trees*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one unit per 1,600 sq. ft. of lot area. Given a lot area of slightly more than 4,800 square feet, three units are allowed and three are proposed. Maximum lot coverage is 46%. Front setbacks are an average of the neighboring adjacent lots, the maximum setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side setback is five (5) feet; the actual required setback is based on the height of the structure adjacent to the side property line. Minimum rear setback is twenty-five (25) feet or twenty (20) percent of the lot depth, in no case less than fifteen (15) feet. The existing trees located on the site must either be preserved or new trees must be planted, consistent with the requirements of the City's landscape regulations (SMC 23.45.015). The lots to be created by this unit subdivision may not individually meet all of the zoning requirements of the Lowrise 1 zone including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole must meet all standards of the set forth in the Land Use Code.
2. The lots are provided vehicular access directly to the alley and thereby to E. Mercer and E. Republican Streets, consistent with the requirements of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light reviewed the proposal and does require an easement to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued December 12, 2002. Drainage review has been conducted and approved in conjunction with the development project.

Connection to the public combined sewer in 20th Avenue E. is available for sanitary discharge from new construction on each of the proposed parcels and has been provided via an issued sidesewer permit. Stormwater and plan review requirements were made at the time of building permit application.

4. The proposed short subdivision is consistent with minimum Land Use Code provisions. Address signage will be attached to each of the townhouse units and provisions will be made so that addresses for all units are visible from 20th Avenue E. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. This site is not an environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. According to landscape plans approved with Project 2207446, one tree has been retained on site and four others are to be planted: There is an existing 6-inch plum tree (*prunus americanus*) on site; two western dogwoods (*cornus nutali*), one golden chain tree (*laburnum*), and one maple (*acer A. Ginnala*) are to be planted on site. A four-inch “cherry” tree is located within the planting strip immediately west of the site.
7. The applicant has completed construction of a 2-unit townhouse structure and a detached single-family on the subject site. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions was reviewed under Permit Number 22077446. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots may be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for shared walls on property lines, and driveway and pedestrian access. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording:

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision.
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

Signature: (signature on file) Date: July 7, 2003
Michael M. Dorcy
Land Use Planner
Department of Design, Construction and Land Use,
Land Use Services